

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34118 of 2008
 AJAY KUMAR JHA SON OF NAWAL KISHOR JHA
 RESIDENT OF VILLAGE MEHSI, P.S.BIBHUTIPUR, DISTRICT SAMASTIPUR
 Versus
 STATE OF BIHAR

3/ 18.11.2008 Heard learned counsel for the parties.

The petitioner seeks bail in a case which has been registered for offence under Section 304(B)/34 of the Indian Penal Code.

Informant's daughter Laxmi Kumari was married with the petitioner and the allegation is that she was being subjected to torture in connection with dowry related demand and later on she was burnt to death while she was in the house of the petitioner.

Submission is that the victim was boiling milk and at that time, fire caught her sari and she got burn injury. Thereafter she was brought to Samastipur Hospital from where she was referred to Patna but in the way she died. Further submission is that this fact has been stated by a number of independent witnesses . Co-accused Nitu Jha has been granted anticipatory bail whereas Disco Jha have been granted bail by different Benches of this Court.

The petitioner is the husband of the

deceased and the marital duty of the husband cannot be equated with the duty of others and also to those who have been granted bail. The death is within seven years of marriage and there is allegation that the petitioner also committed torture in connection with dowry related demand. Considering all these, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

Tahir/-

(**Shyam Kishore Sharma, J.**)

